



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KAPLAN & GILMAN
900 ROUTE 9 NORTH
WOODBRIDGE, NJ 07095

COPY MAILED

JUN 03 2005

In re Application of :
Nikolay Nikolayev :
Application No. 10/722,779 :
Filed: November 26, 2003 :
Attorney Docket No. 161/1 :
For: DATA GENERATING DEVICE FOR BULK :
VENDING MACHINES :

OFFICE OF PETITIONS

DECISION ON PETITIONS

This is a decision on the petition under 37 CFR 1.137(b), to revive the above-identified application and on the petition under 37 CFR 1.47(b), filed March 4, 2005.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The petition under 37 CFR 1.47(b) is **GRANTED**.

Discussion of Petition under 37 CFR 1.137(b)

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Nonprovisional Application (Notice) mailed February 27, 2004. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 28, 2004.

Discussion of Petition under 37 CFR 1.47(b)

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

Petitioner has demonstrated that the non-signing inventor refuses to sign the application. Specifically, petitioner established that the nonsigning inventor, Nikolay Nikolayev, refuses to sign the declaration after being sent a copy of the above-identified application and declaration.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries related to this decision should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to the Office of Initial Patent Examination for preexamination processing.

Frances Hicks
Frances Hicks

Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NIKOLAY NIKOLAYEV
84-10 34TH AVENUE
FLUSHING, NY 11372

COPY MAILED

JUN 03 2005

In re Application of
Nikolay Nikolayev
Application No. 10/722,779
Filed: November 26, 2003
For: DATA GENERATING DEVICE FOR BULK VENDING MACHINES

Dear Mr. Nikolayev:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 118 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Wan Laymon at (571)272-3220. Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Frances Hicks
Frances Hicks

Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

KAPLAN & GILMAN
900 ROUTE 9 NORTH
WOODBRIDGE, NJ 07095